

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA

3 U.S. ETHERNET INNOVATIONS, LLC,

4 No. C 10-3724 CW

5 Plaintiff,

6 v.
7 ORDER VACATING
8 BRIEFING AND
9 HEARING SCHEDULE
10 ON APPLE'S MOTION
11 FOR LEAVE TO FILE
12 A THIRD AMENDED
13 COMPLAINT (Docket
14 No. 685)

15 ACER, INC.; ACER AMERICA
16 CORPORATION; APPLE, INC.; ASUS
17 COMPUTER INTERNATIONAL; ASUSTEK
18 COMPUTER, INC.; DELL, INC.;
19 FUJITSU, LTD.; FUJITSU AMERICA,
20 INC.; GATEWAY, INC.; HEWLETT
21 PACKARD CO.; SONY CORPORATION;
22 SONY CORPORATION OF AMERICA; SONY
23 ELECTRONICS INC.; TOSHIBA
24 CORPORATION; TOSHIBA AMERICA,
25 INC.; and TOSHIBA AMERICA
INFORMATION SYSTEMS, INC.,

13 Defendants.

14 INTEL CORPORATION; NVIDIA
15 CORPORATION; MARVELL
16 SEMICONDUCTOR, INC.; AHEROS
COMMUNICATIONS, INC.; and
BROADCOM CORPORATION,

17 Intervenors.

18 _____/
19 On January 17, 2013, the Court issued an order, among other

20 things, directing the non-stayed parties to file a joint case
21 management statement setting forth their proposed schedules for
22 future dates in the above-captioned case and its related cases.
23 Docket No. 680. At that time, the Court stated, "Except in
24 emergency situations, no additional motions shall be filed until a
25 case management schedule has been adopted." Id. at 8.

26 On February 5, 2013, Defendant Apple, Inc. filed a motion for
27 leave to file a third-party complaint against Oracle America, Inc.

1 Docket No. 685. Apple has not argued or shown that this motion
2 addresses an "emergency situation."

3 The Court has not yet adopted a case management order.
4 Accordingly, the current briefing and hearing schedule on Apple's
5 motion for leave is vacated and no opposition is due at this time.
6 The Court will reset the briefing schedule in the case management
7 order.

8 IT IS SO ORDERED.

9
10 Dated: 2/12/2013


CLAUDIA WILKEN
United States District Judge